

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT COE,

Petitioner,

V.

A.L. MARTINEZ,

Respondent.

No. 2:22-cv-0422 DJC CKD P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 5, 2023, the Magistrate Judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty-one days. Neither party has filed objections to the findings and recommendations.

The Court presumes that any findings of fact are correct. See *Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge's conclusions of law are reviewed de novo. See *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the Magistrate Judge's analysis.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed June 5, 2023, are adopted in full;
3 2. The petition for writ of habeas corpus is denied;
4 3. The Clerk of Court shall close this action; and
5 4. The Court declines to issue the certificate of appealability referenced in 28
6 U.S.C. § 2253 as Petitioner has not made a substantial showing of the denial of a
7 constitutional right. See 28 U.S.C. § 2253(c)(2).

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9 IT IS SO ORDERED.

10 Dated: September 2, 2023


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE

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